



United States Mission to the OSCE

Statement on NGO Legislation in Turkmenistan

As delivered by Ambassador Stephan M. Minikes
to the Permanent Council, Vienna
December 18, 2003

Thank you, Mr. Chairman.

The United States shares the concern, expressed by the Italian Ambassador on behalf of the European Union, over the two recent pieces of legislation promulgated in Turkmenistan. We also made clear our views on this issue at the November 20 meeting of the Permanent Council. The United States is equally disturbed by the recent actions taken by the Ministry of Justice of Turkmenistan against the environmental NGO "DEK".

We are even more concerned because the law requiring "DEK" to disband - which violates OSCE standards - is being applied retroactively. In other words, "DEK" is being accused of violating a law before it was published or implemented! Isn't that difficult to contemplate?

This practical application of a law that is clearly flawed flouts once again the commitments undertaken at Copenhagen by all OSCE participating States, including Turkmenistan, to -- and I will quote here - "allow members of such groups and organizations to have unhindered access to and communication with similar bodies within and outside their countries and with international organizations, to engage in exchanges, contacts and co-operation with such groups and organizations and to solicit, receive and utilize for the purpose of promoting and protecting human rights and fundamental freedoms voluntary financial contributions from national and international sources as provided for by law."

We thus call once again on the Government of Turkmenistan to reverse the restrictive and repressive course it has chosen, and to foster instead an environment in which civil society can operate freely. Registration procedures should not restrict an individual's fundamental right to peaceful assembly or association. Our OSCE commitments state simply that the right of association "will be guaranteed."

The United States and other countries very much want to work with the Government of Turkmenistan and its people to contribute to the full and prosperous development of independent Turkmenistan. The people of Turkmenistan want to work with us, when will the government join them?

Thank you, Mr. Chairman.